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9 COUNTY OF MARIN

10  
11 UNITED STATES DISTRICT COURT  
12  
13 NORTHERN DISTRICT OF CALIFORNIA  
14

15 SEAPLANE ADVENTURES, LLC, a California  
16 Limited Liability Company

17 Plaintiff,

18 v.

19 COUNTY OF MARIN, CALIFORNIA; AND  
20 DOES 1 THROUGH 10, Inclusive,

21 Defendant.

Case No.: 20-cv-06222-WHA

**DECLARATION OF DEPUTY ROBERT  
HEILMAN IN SUPPORT OF DEFENDANT  
COUNTY OF MARIN'S MOTION FOR  
SUMMARY JUDGMENT**

Complaint filed: September 2, 2020

Date: October 7, 2021  
Time: 8:00 AM  
Judge: Honorable William Alsup  
Dept: Courtroom 12, 19<sup>th</sup> Floor

22 I, DEPUTY ROBERT HEILMAN, declare as follows:

23 1. I am employed as a Deputy in the Marin County Sheriff's Office. I submit this  
24 declaration in support of the motion for summary judgment submitted by the County of Marin  
25 ("County") in this matter. I have personal knowledge of the contents of this declaration, except as to  
26 any matters stated on information and belief, and as to those matters, I am informed and believe them to  
27 be true. If called as a witness, I could and would competently testify to the matters set forth in this  
28 declaration.

2. In July 2020, I was assigned to perform duties including general patrol duties in the area  
around Sausalito in Marin County, California. On July 2, 2020, I was informed through my chain of

1 command that County had received complaints that two businesses operating at the seaplane base in  
2 Sausalito—Seaplane Adventures, LLC and San Francisco Helicopters (“SF Helicopters”)—were  
3 operating in violation of the terms of the health orders County had issued in response to the COVID-19  
4 pandemic by operating recreational sightseeing tours in their aircraft. I was also informed that County  
5 had previously communicated with the owner of Seaplane Adventures about the way the health orders  
6 restricted his operations, but that Seaplane Adventures had not complied with County’s instructions.

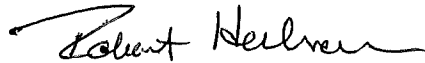
7 3. Later that day, I traveled to the seaplane base with two other officers, Deputy Zachary  
8 Schlieff and Sergeant Greg Garrett. When we arrived at the offices at the seaplane base, we made  
9 contact with a man sitting at the desk for SF Helicopters who identified himself as a pilot for SF  
10 Helicopters. We explained to him that County had taken the position that its tour flight operations were  
11 not permitted under the health orders, and that if SF Helicopters continued to operate such flights,  
12 County would issue it a citation for each such flight. Deputy Schlieff, Sergeant Garrett, and I were all  
13 wearing body-worn cameras during this interaction. I understand that the video footage of this  
14 interaction from these three cameras was produced by County Counsel to Plaintiff in this case, in three  
15 separate files (one from each of our points of view). I recently reviewed a video file I received from the  
16 County Counsel’s office with the filename “Adv.mp4,” which I understand from County Counsel is one  
17 of the three files containing body-worn camera footage from this interaction that County produced to  
18 Plaintiff. A true and correct copy of Adv.mp4 is attached hereto as Exhibit 13. This footage is a true  
19 and accurate depiction of the July 2, 2020 interaction I had at the office of SF Helicopters with the man  
20 identifying himself as a pilot for SF Helicopters.

21 4. The office of Seaplane Adventures is located in the same collection of offices as the  
22 office of SF Helicopters. No one from Seaplane Adventures was present in its office on July 2, 2020 at  
23 the time I visited the office of SF Helicopters. So, I returned to the facility the next day, July 3, 2020.  
24 That day, I spoke with a man who identified himself as Aaron Singer, the owner of Seaplane  
25 Adventures. In summary, I told Mr. Singer that per the email correspondence Mr. Singer had recently  
26 exchanged with County, County had taken the position that Seaplane Adventures’s tour flight  
27 operations were not permitted under the health orders, and that if Seaplane Adventures continued to  
28 operate such flights, County would issue it a citation for each such flight. As I had done during the

1 interaction the previous day with SF Helicopters, I was wearing a body-worn camera during this  
2 interaction with Mr. Singer. I understand that the video footage of this interaction from this camera  
3 was produced by County Counsel to Plaintiff in this case, in one file. I recently reviewed a video file I  
4 received from the County Counsel's office with the filename "Misc\_Advisement.mp4," which I  
5 understand from County Counsel is the file containing body-worn camera footage from this interaction  
6 that County produced to Plaintiff. A true and correct copy of Misc\_Advisement.mp4 is attached hereto  
7 as Exhibit 14. This footage is a true and accurate depiction of the July 3, 2020 interaction I had with  
8 the man identifying himself as Aaron Singer.

9  
10 I declare under penalty of perjury under the laws of the State of California that the foregoing is  
11 true and accurate to the best of my knowledge

12 Executed on August 27, 2021, in San Rafael, California.

13  
14 By:  #1601  
15 Deputy Robert Heilman  
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## EXHIBIT 13: Adv.mp4

To access video use link below:

<https://www.dropbox.com/s/ze523jzll6yaulo/Adv.mp4?dl=0>

EXHIBIT 14:  
Misc\_Advisement.mp4

To access video use link below:

[https://www.dropbox.com/s/8wgvqrrzstko61f/Misc\\_Advisement.mp4?dl=0](https://www.dropbox.com/s/8wgvqrrzstko61f/Misc_Advisement.mp4?dl=0)